

TO : D/OLL DD/OLL <i>5</i> <i>AUG 1984</i>		DATE OF REQUEST 10 August 1984
FROM : Chief, Legislation Division		SUSPENSE DATE <i>gms</i>
SUBJECT : Representative Hyde's Proposal for Establishment of One Joint Oversight Committee		
NOTES		
COORDINATED WITH (list names as well as offices)		
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ACTION REQUIRED BY D/OLL <i>ea</i>		
For your signature		

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Representative Hyde's Proposal for Establishment
of One Joint Oversight Committee

FROM:

Charles A. Briggs
Director, Office of
Legislative Liaison

CRB/jma

EXTENSION

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NO.

OLL 84-2686

DATE

14 AUG 1984

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TO: (Officer designation, room number, and
building)

DATE

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OFFICER'S
INITIALSCOMMENTS (Number each comment to show from whom
to whom. Draw a line across column after each comment.)

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John - clin aware
of your views on a
joint committee, but
I really think
the idea a good one.
I see no negatives,
just differences.

WE SHOULD "PRAISE"
THE SUGGESTION THAT
CONGRESS IS CONSIDERING
REDUCING THE CAREER
AND THEREBY # OF
STAFFERS BUT IN FINAL
ANALYSIS DEFER TO
CONGRESS ON HOW IT
WISHES TO PERFORM ITS
OVERSIGHT

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OLL 84-2686
14 August 1984


MEMORANDUM FOR: Director of Central Intelligence

FROM: Charles A. Briggs
Director, Office of Legislative Liaison

SUBJECT: Representative Hyde's Proposal for
Establishment of One Joint Oversight Committee

1. Attached for your review and information is House Joint Resolution 633, which was recently introduced by Representative Hyde and provides for the establishment of one Joint Oversight Committee on Intelligence. Under this proposal, one oversight committee would be created which would be composed of 18 members, nine each from the Senate and the House, who would serve for a six year term. The Chairmanship of the Joint Committee would be rotated between the Senate and the House. In introducing this resolution, Representative Hyde stated that a single Joint Committee would hopefully reduce the number of unauthorized leaks, the political partisanship that has recently surrounded controversial intelligence activities and would provide a single point of contact and consultation for the Agency on intelligence matters.

2. I will be happy to discuss Representative Hyde's proposal with you at your convenience.


Charles A. Briggs

Attachment

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Congress of the United States
Committee on Foreign Affairs
House of Representatives

MEMORANDUM

For your information.

Tom Smeeton

HLC

98TH CONGRESS
2D SESSION

H. J. RES. 633

IN THE HOUSE OF REPRESENTATIVES

Mr. HYDE introduced the following joint resolution; which was referred to the Committee on _____

JOINT RESOLUTION

To provide for the establishment of a Joint Committee on Intelligence.

- 1 Resolved by the Senate and House of Representatives of
- 2 the United States of America in Congress assembled,

1 ESTABLISHMENT

2 SECTION 1. There is established a Joint Committee on
3 Intelligence (hereafter in this joint resolution referred to
4 as the ''joint committee'').

5 MEMBERSHIP

6 SEC. 2. (a) The joint committee shall be composed of
7 nine Members of the Senate and nine Members of the House of
8 Representatives to be appointed as follows:

9 (1) Five Members of the Senate from the majority
10 party and four Members of the Senate from the minority
11 party shall be appointed by the President pro tempore of
12 the Senate, including at least one but not more than two
13 members from each of the following committees: the
14 Committee on Appropriations; the Committee on Armed
15 Services; the Committee on Foreign Relations; and the
16 Committee on the Judiciary.

17 (2) Five Members of the House of Representatives
18 from the majority party and four Members of the House
19 from the minority party shall be appointed by the
20 Speaker of the House, including at least one but not
21 more than two members from each of the following
22 committees: the Committee on Appropriations; the
23 Committee on Armed Services; the Committee on Foreign
24 Affairs; and the Committee on the Judiciary.

25 The majority leader and minority leader of the House of

1 Representatives and the majority leader and minority leader
2 of the Senate shall be ex officio members of the joint
3 committee but shall have no vote in the joint committee and
4 shall not be counted for purposes of determining a quorum.

5 (b)(1) Except as provided in paragraph (2), no Member of
6 the Congress shall serve continuously on the joint committee
7 for more than six years.

8 (2)(A) Of the members of the joint committee initially
9 appointed, three members from the Senate, no more than two
10 of whom are members of the same party, and three members of
11 the House of Representatives, no more than two of whom are
12 members of the same party, shall be appointed to each of
13 three classes of initial terms; for two years, four years,
14 and six years, respectively.

15 (B)(i) No member who begins service on the joint
16 committee during the first session of a Congress shall serve
17 continuously for more than five years plus the remainder of
18 the session during which such service began.

19 (ii) No member who begins service on the joint committee
20 during the second session of a Congress shall serve
21 continuously for more than six years plus the remainder of
22 the session during which such service began.

23 (c) Vacancies in the membership of the joint committee
24 shall not affect the power of the remaining members to
25 execute the functions of the joint committee and shall be

1 filled in the same manner as in the case of the original
2 appointment, for terms as provided in subsection (b).

3 (d)(1) The joint committee shall select a chairman and a
4 vice chairman from among its members at the beginning of
5 each session of a Congress. The vice chairman shall act in
6 the place and stead of the chairman in the absence of the
7 chairman.

8 (2) The chairmanship and the vice chairmanship of the
9 joint committee shall alternate between the Senate and the
10 House of Representatives with each session of a Congress.
11 The chairman during each odd-numbered year shall be selected
12 by the Members of the House of Representatives on the joint
13 committee from among their number and the chairman during
14 each even-numbered year shall be selected by the Members of
15 the Senate on the joint committee from among their number.
16 The vice chairman during each session of a Congress shall be
17 chosen in the same manner from that House of Congress other
18 than the House of Congress of which the chairman is a
19 Member.

20 DUTIES

21 SEC. 3. (a) The joint committee shall exercise exclusive
22 legislative jurisdiction with respect to--

23 (1) any intelligence activity conducted by any
24 agency or department of the Federal Government; and

25 (2) authorizations for appropriations, both direct

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1 and indirect, for the following:

2 (A) The Central Intelligence Agency and Director
3 of Central Intelligence.

4 (B) The Defense Intelligence Agency.

5 (C) The National Security Agency.

6 (D) The intelligence and intelligence-related
7 activities of other agencies and subdivisions of the
8 Department of Defense.

9 (E) The intelligence and intelligence-related
10 activities of the Department of State.

11 (F) The intelligence and intelligence-related
12 activities of the Federal Bureau of Investigation,
13 including all activities of the Intelligence
14 Division.

15 (G) Any department, agency, or subdivision which
16 is the successor to any agency named in subparagraph
17 (A), (B), or (C); and the activities of any
18 department, agency, or subdivision which is the
19 successor to any department, agency, bureau, or
20 subdivision named in subparagraph (D), (E), or (F),
21 to the extent that the activities of such successor
22 department, agency, or subdivision are activities
23 described in subparagraph (D), (E), or (F).

24 (b) The joint committee shall review and study on a
25 continuing basis any intelligence activity conducted by any

1 agency or department of the Federal Government.

2 (c) In order to assist the Congress, the provisions of
3 clause 2(a) and (b)(1) of rule X of the Rules of the House
4 of Representatives, except for the last two sentences of
5 clause 2(b)(1), shall apply to the joint committee.

6 POWERS

7 SEC. 4. (a) The joint committee, or any duly authorized
8 subcommittee thereof, is authorized to sit and act at such
9 places and times during the sessions, recesses, and
10 adjourned periods of the Congress, to require by subpoena
11 the attendance of such witnesses and the production of such
12 books, papers, and documents, to administer such oaths and
13 affirmations, to take such testimony, to procure such
14 printing and binding, and to make such expenditures, as it
15 considers advisable.

16 (b)(1) The joint committee may make such rules
17 respecting its organization and procedures as it considers
18 necessary, except that no recommendation shall be reported
19 from the joint committee unless a majority of the joint
20 committee assent.

21 (2) Ten members of the joint committee shall constitute
22 a quorum for reporting any recommendation.

23 (c) Subpoenas may be issued over the signature of the
24 chairman of the joint committee or of any member designated
25 by the chairman or by the joint committee to the extent the

1 chairman or such member is authorized by a majority of the
2 joint committee to issue such subpoenas, and may be served
3 by any person designated by such chairman or member.

4 (d) The chairman of the joint committee or any member
5 thereof may administer oaths or affirmations to witnesses.

6 (e) The joint committee shall, under such regulations as
7 the joint committee shall prescribe, make any information in
8 its possession available to any other committee or Member of
9 the Congress, and may permit any other Member of the
10 Congress to attend any hearing of the joint committee which
11 is closed to the public. Whenever the joint committee makes
12 such information available, the joint committee shall keep a
13 written record showing, in the case of any particular
14 information, which committee or which Members of the
15 Congress received such information. No Member of Congress
16 who, and no committee which, receives any information under
17 this subsection shall disclose such information except in a
18 closed session of the House of Representatives or the
19 Senate.

20 (f) The joint committee may permit any individual
21 designated by the President as a liaison to the joint
22 committee to attend any meeting of the joint committee which
23 is closed to the public.

24 INFORMATION FROM FEDERAL AGENCIES AND DEPARTMENTS

25 SEC. 5. Any agency or department of the Federal

1 Government described in section 3(a)(2)(A) through (F) and
2 any other agency or department of the Federal Government
3 conducting any intelligence activity, shall keep the joint
4 committee fully and currently informed with respect to any
5 such activity. Any such agency or department shall furnish
6 any periodic reports requested by the joint committee with
7 respect to any such activity.

8 CLASSIFICATION AND RELEASE OF INFORMATION

9 SEC. 6. (a) The joint committee shall classify
10 information originating within the joint committee, and the
11 records of the joint committee, in accordance with standards
12 used generally by the executive branch of the Federal
13 Government for the classification of information. The joint
14 committee shall establish guidelines under which such
15 information and records may be (1) maintained; (2) used by
16 the staff of the joint committee; and (3) made available to
17 any Member of the Congress who requests such information or
18 records and has an appropriate security clearance, as
19 determined by the joint committee.

20 (b)(1) The joint committee may, subject to the
21 provisions of this subsection, disclose publicly any
22 information in the possession of the joint committee after a
23 determination by the joint committee that the public
24 interest would be served by such disclosure.

25 (2)(A) In any case in which the joint committee votes to

1 disclose publicly any information which has been classified
2 under established security procedures, which has been
3 submitted to it by the executive branch, and which the
4 executive branch requests be kept secret, the joint
5 committee shall notify the President of such vote.

6 (B) The joint committee may disclose publicly such
7 information after the expiration of a five-day period
8 following the day on which notice of such vote is
9 transmitted to the President, unless prior to the expiration
10 of such five-day period, the President, personally in
11 writing, notifies the joint committee that he objects to the
12 disclosure of such information, provides his reasons
13 therefor, and certifies that the threat to the national
14 interest of the United States posed by such disclosure is of
15 such gravity that it outweighs any public interest in the
16 disclosure.

17 (3)(A) If the President notifies the joint committee of
18 his objections to the disclosure of such information as
19 provided in paragraph (2)(B), the joint committee may, by
20 majority vote, refer the question of the disclosure of such
21 information with a recommendation thereon to the House of
22 Representatives and the Senate for consideration.

23 (B) The joint committee shall not publicly disclose such
24 information unless both Houses have, by recorded vote in
25 open session but without divulging the information with

1 respect to which the vote is being taken, agreed to the
2 recommendation of the joint committee to disclose such
3 information.

4 (C) If within four calendar days on which the House of
5 Representatives is in session, after such recommendation is
6 reported to the House, no motion has been made by the
7 chairman or vice chairman of the joint committee to
8 consider, in closed session, the matter reported under
9 subparagraph (A), then such a motion will be deemed
10 privileged and may be made by any Member. The motion under
11 this subparagraph shall not be subject to debate or
12 amendment. When made, it shall be decided without
13 intervening motion, except one motion to adjourn.

14 (D) If the House adopts a motion to resolve into closed
15 session, the Speaker shall then be authorized to declare a
16 recess subject to the call of the Chair. At the expiration
17 of such recess, the pending question, in closed session,
18 shall be, "Shall the House approve the recommendations of
19 the joint committee?"

20 (E) After not more than two hours of debate on the
21 motion, such debate to be equally divided and controlled by
22 the chairman or vice chairman and ranking minority member of
23 the joint committee, or their designees, the previous
24 question shall be considered as ordered and the House,
25 without intervening motion except one motion to adjourn,

1 shall immediately vote on the question, in open session but
2 without divulging the information with respect to which the
3 vote is being taken. If the recommendation of the joint
4 committee is not agreed to, the question shall be deemed
5 recommitted to the joint committee for further
6 recommendation.

7 RECORDS

8 SEC. 7. The joint committee shall keep a complete record
9 of all joint committee actions, including a record of the
10 votes on any question on which a record vote is demanded.
11 All records, data, charts, and files of the joint committee
12 shall be the property of the joint committee and shall be
13 kept in the office of the joint committee or such other
14 places as the joint committee may direct.

15 UNAUTHORIZED DISCLOSURE OF INFORMATION

16 SEC. 8. (a) The joint committee shall establish and
17 carry out such rules and procedures as it considers
18 necessary to prevent the disclosure, outside the joint
19 committee, of any information which (1) relates to any
20 intelligence activity which is conducted by any agency or
21 department of the Federal Government; (2) is obtained by the
22 joint committee, any member of the joint committee, or any
23 member of the staff of the joint committee; and (3) is not
24 authorized by the joint committee to be disclosed.

25 (b) No member of the staff of the joint committee shall

1 be given access to any classified information by the joint
2 committee unless such staff member has received an
3 appropriate security clearance as determined by the joint
4 committee, in consultation with the Director of Central
5 Intelligence and other appropriate intelligence community
6 officials. The type of security clearance to be required in
7 the case of any such staff member or any class of staff
8 members shall, within the determination of the joint
9 committee, in consultation with the Director of Central
10 Intelligence and other appropriate intelligence community
11 officials, be commensurate with the sensitivity of the
12 classified information to which such staff member or class
13 of staff members will be given access by the joint
14 committee.

15 (c)(1) The joint committee may take appropriate actions
16 against any member of the joint committee, or any staff
17 member of the joint committee, who violates any provision of
18 this section or any guideline established under section 6.

19 (2)(A) In the case of a member of the joint committee,
20 such action may include (i) the censure of such member by
21 the joint committee; (ii) the expulsion of such member from
22 the joint committee, unless such expulsion is objected to,
23 within five legislative days after the joint committee
24 reports such expulsion, by a majority vote in the House of
25 Congress of which such member is a Member; and (iii)

1 recommendation to the Senate or the House of
2 Representatives, as the case may be, by the joint committee
3 that such member be censured or expelled by the Senate or
4 the House of Representatives.

5 (B) Unless an objection is adopted under subparagraph
6 (A)(ii) of this paragraph, no member of the joint committee
7 who the joint committee has expelled shall attend or
8 participate in any meeting or activity of the joint
9 committee.

10 (3) In the case of a person serving on the staff of the
11 joint committee, such action may include the immediate
12 dismissal of such person. The joint committee shall report
13 to the Attorney General of the United States any apparent
14 violation of any Federal criminal law committed by any such
15 person in connection with a violation of any provision of
16 this section or any guideline established under section 6.

17 STAFF

18 SEC. 9. (a) In carrying out its functions under this
19 joint resolution, the joint committee may, by record vote of
20 a majority of the members of the joint committee--

21 (1) appoint, on a permanent basis, without regard to
22 political affiliation and solely on the basis of fitness
23 to perform their duties, professional staff members and
24 clerical staff members;

25 (2) prescribe the duties and responsibilities of

1 such staff;

2 (3) fix the pay of such staff at rates not in excess
3 of the rate of basic pay payable for grade GS-18 of the
4 General Schedule under section 5332(a) of title 5,
5 United States Code;

6 (4) terminate the employment of such staff as the
7 joint committee may consider appropriate;

8 (5) require, at the time of appointment, all staff
9 members to agree in writing and under oath to the policy
10 of the joint committee governing the disclosure of
11 classified information; and

12 (6) require such staff to take periodic polygraph
13 examinations.

14 (b) In carrying out any of its functions under this
15 joint resolution, the joint committee may utilize, on a
16 reimbursable basis, the services, information, facilities,
17 and personnel of any agency or department of the Federal
18 Government, and may procure the temporary or intermittent
19 services of experts or consultants by contract at rates of
20 pay not in excess of the daily equivalent of the annual rate
21 of basic pay payable for grade GS-18 of the General Schedule
22 under section 5332(a) of title 5, United States Code,
23 including payment of such rates for necessary traveltime.

24 EXPENSES

25 SEC. 10. The expenses of the joint committee shall be

1 paid one-half from the contingent fund of the House of
2 Representatives and one-half from the contingent fund of the
3 Senate, from funds appropriated for the joint committee,
4 upon vouchers approved by the chairman of the joint
5 committee.

6 DEFINITION

7 SEC. 11. For purposes of this joint resolution--

8 (1) the term "intelligence activities" includes--

9 (A) the collection, analysis, production,
10 dissemination, or use of information which relates
11 to any foreign country, or any government, political
12 group, party, military force, movement, or other
13 association in such foreign country, and which
14 relates to the defense, foreign policy, national
15 security, or related policies of the United States,
16 and other activity which is in support of such
17 activities;

18 (B) activities taken to counter similar
19 activities directed against the United States;

20 (C) covert or clandestine activities affecting
21 the relations of the United States with any foreign
22 government, political group, party, military force,
23 movement, or other association; and

24 (D) the collection, analysis, production,
25 dissemination, or use of information about

1 activities of persons within the United States, its
2 territories and possessions, or nationals of the
3 United States abroad whose political and related
4 activities pose, or may be considered by any
5 department, agency, bureau, office, division,
6 instrumentality, or employee of the United States to
7 pose, a threat to the internal security of the
8 United States, and covert or clandestine activities
9 directed against such persons; and

10 (2) the term "'staff' includes any employee of the
11 joint committee and any person engaged by contract or
12 otherwise to perform services for the joint committee.

13 RULES

14 SEC. 12..(a)(1) Clause 1(c)(1) of rule X of the Rules of
15 the House of Representatives is amended by inserting
16 immediately before the period at the end thereof the
17 following: "'", except for matters exclusively within the
18 legislative jurisdiction of the Joint Committee on
19 Intelligence'".

20 (2) Clause 1(c)(2) of rule X of the Rules of the House
21 of Representatives is amended by inserting immediately
22 before the period at the end thereof the following: "'",
23 except for matters exclusively within the legislative
24 jurisdiction of the Joint Committee on Intelligence'".

25 (3) Clause 1(c)(10) of rule X of the Rules of the House

1 of Representatives is amended by inserting immediately
2 before the period at the end thereof the following: '',
3 except for matters exclusively within the legislative
4 jurisdiction of the Joint Committee on Intelligence''.

5 (4) Clause 1(k)(1) of rule X of the Rules of the House
6 of Representatives is amended by inserting immediately
7 before the period at the end thereof the following: '',
8 except for matters exclusively within the legislative
9 jurisdiction of the Joint Committee on Intelligence''.

10 (5) Clause 3(d) of rule X of the Rules of the House of
11 Representatives is amended by striking out ''intelligence
12 activities relating to foreign policy,''.
13

14 (6) Clause 2(g)(2)(B) of rule XI of the Rules of the
15 House of Representatives is amended by striking out '', the
16 Committee on Armed Services, and the Permanent Select
17 Committee on Intelligence'' and inserting in lieu thereof
18 ''and the Committee on Armed Services''.

19 (7) Rule XLVIII of the Rules of the House of
20 Representatives is repealed.

21 (b) The provisions of this joint resolution are enacted
22 by the Congress--

23 (1) as an exercise of the rulemaking power of the
24 House of Representatives and the Senate, respectively,
25 and as such they shall be considered as part of the
rules of each House, respectively, or of that House to

1 which they specifically apply, and such rules shall
2 supersede other rules only to the extent that they are
3 inconsistent therewith; and

4 (2) with full recognition of the constitutional
5 right of either House to change such rules (so far as
6 relating to such House) at any time, in the same manner,
7 and to the same extent as in the case of any other rule
8 of such House.

9 AMENDMENTS TO NATIONAL SECURITY ACT OF 1947
10 SEC. 13. (a) Section 501 of the National Security Act of
11 1947 (50 U.S.C. 413) is amended--

12 (1) in subsection (a)(1) by striking out "Select
13 Committee on Intelligence of the Senate" and all that
14 follows through "'intelligence committees')'" and
15 inserting in lieu thereof "'Joint Committee on
16 Intelligence (hereafter in this section referred to as
17 the 'joint committee')'";

18 (2) by striking out "'intelligence committees'" each
19 place it appears and inserting in lieu thereof "'joint
20 committee'";

21 (3) in subsection (a)(1) by striking out "'ranking
22 minority members'" and inserting in lieu thereof "'vice
23 chairman'";

24 (4) in subsection (a)(2) by striking out "'either
25 of'";

1 (5) in subsection (d) by striking out ''each of''
2 and inserting in lieu thereof ''the Members of each
3 House on''; and

4 (6) in subsection (d) by striking out ''its
5 respective'' both places it appears and inserting in
6 lieu thereof ''their respective''.

7 (b) Section 602(c) of such Act is amended by striking
8 out ''Select Committee on Intelligence of the Senate'' and
9 all that follows through the period and inserting in lieu
10 thereof ''Joint Committee on Intelligence.''.
11

12 (c) Section 603 of such Act is amended by striking out
13 ''submit to the Select'' and all that follows through
14 ''House of Representatives'' and inserting in lieu thereof
15 ''submit to the Joint Committee on Intelligence''.

16 EFFECTIVE DATE

17 SEC. 14. This Act shall take effect at the beginning of
18 the first Congress beginning after the date of enactment of
19 this Act.

STATEMENT OF THE HONORABLE HENRY J. HYDE
MEMBER OF CONGRESS

ESTABLISHING A JOINT INTELLIGENCE COMMITTEE
BEFORE THE
SENATE TEMPORARY SELECT COMMITTEE
TO STUDY THE SENATE COMMITTEE SYSTEM

THURSDAY, AUGUST 2, 1984

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I THANK YOU FOR THIS OPPORTUNITY TO TESTIFY ON MY PROPOSAL TO CREATE A JOINT COMMITTEE ON INTELLIGENCE.

WHAT CAUSED ME TO FOCUS ON CONGRESS' CURRENT INTELLIGENCE OVERSIGHT ARRANGEMENT WAS THE FUROR LAST SPRING OVER THE MINING OF NICARAGUAN HARBORS. THAT EPISODE ILLUSTRATES A PROBLEM OF OVERWHELMING IMPORTANCE. SPECIFICALLY, ONE MUST ASK HOW CAPABLE CONGRESS IS OF PRACTICING RESPONSIBLE CONGRESSIONAL OVERSIGHT OF INTELLIGENCE ACTIVITIES, ONCE THOSE ACTIVITIES ARE VIEWED AS AN INTEGRAL PART OF A FOREIGN POLICY THAT HAS BECOME CONTROVERSIAL AND THE SUBJECT OF PARTISAN DEBATE.

AFTER VIETNAM AND WATERGATE, BOTH HOUSES OF CONGRESS DECIDED TO ESTABLISH SELECT COMMITTEES ON INTELLIGENCE FOLLOWING EXTENSIVE INVESTIGATIONS OF U.S. INTELLIGENCE ACTIVITIES BY PANELS HEADED BY THEN CONGRESSMAN OTIS PIKE AND THE LATE SENATOR FRANK CHURCH. EARLY ON, BOTH OF THESE COMMITTEES APPEARED TO CONDUCT THEIR BUSINESS IN AN AMICABLE AND BIPARTISAN MANNER WITH LITTLE EVIDENCE OF POLITICIZATION. UNFORTUNATELY, SUCH A TURN OF EVENTS WAS TOO GOOD TO LAST, AND FOR THE LAST TWO YEARS OR SO, THE HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE, IN PARTICULAR, HAS BECOME INCREASINGLY POLITICIZED. SO MUCH SO, IN FACT, THAT ONE OF THE INTELLIGENCE COMMUNITY'S MOST ILLUSTRIOUS AND RESPECTED ALUMNI, ADMIRAL (RET.) BOBBY INMAN, RESIGNED IN OCTOBER, 1982 AS A CONSULTANT TO THE COMMITTEE BECAUSE HE FELT IT HAD BECOME POLITICALLY PARTISAN.

INMAN, A FORMER DIRECTOR OF THE NATIONAL SECURITY AGENCY AND DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE, ALSO INDICATED IN HIS RESIGNATION ANNOUNCEMENT THAT THE CONGRESSIONAL INTELLIGENCE COMMITTEES' OVERSIGHT OF THE INTELLIGENCE AGENCIES MUST BE NONPOLITICAL IN ORDER TO EARN PUBLIC CREDIBILITY. HE WENT ON TO ADD THAT "IF THE COUNTRY DOESN'T ESTABLISH A BI-PARTISAN APPROACH TO INTELLIGENCE, WE ARE NOT GOING TO FACE THE PROBLEMS OF THE NEXT 50 YEARS." ADMIRAL INMAN ALSO OFFERED SOME SAGE ADVICE ON AVOIDING LEAKS BY RECOMMENDING THAT "NONE OF THE STAFF SHOULD HAVE ANY PERSONAL RELATIONS WITH THE MEDIA."

A SERIOUS QUESTION WITH DANGEROUS IMPLICATIONS PRESENTS ITSELF: IS OUR DEMOCRATIC FORM OF GOVERNMENT UNABLE TO KEEP ANY SECRETS, NO MATTER HOW SENSITIVE TO OUR NATIONAL INTERESTS? AS WE ALL KNOW, THE CALCULATED, POLITICALLY MOTIVATED LEAKING OF HIGHLY SENSITIVE INFORMATION HAS BECOME A WASHINGTON ART FORM, AND ONE THAT IS NOT CONFINED TO CONGRESS ALONE, AS A NUMBER OF THESE UNAUTHORIZED REVELATIONS HAVE COME FROM VARIOUS PLACES IN THE EXECUTIVE BRANCH AS WELL.

IT APPEARS THE ONLY WAY TO MOUNT A SUCCESSFUL COVERT OPERATION THESE DAYS IS FOR SUCH AN ACTIVITY TO HAVE THE NEARLY UNANIMOUS SUPPORT OF BOTH INTELLIGENCE COMMITTEES AND THE INVOLVED AGENCIES OF THE INTELLIGENCE COMMUNITY. ANYTHING SHORT OF THAT IS DOOMED TO FAILURE, AS OPPONENTS WILL SELECTIVELY LEAK MATERIAL TO THEIR ACQUAINTANCES IN THE MEDIA WITH THE EXPRESSED PURPOSE OF TORPEDOING THE OPERATION.

MOREOVER, AS RECENT PRESS DISCLOSURES CLEARLY DEMONSTRATE, YOU CAN COUNT ON A FLURRY OF THESE LEAKS JUST BEFORE ANTICIPATED CONGRESSIONAL ACTION ON THE DISPUTED ISSUE.

WHAT IS ESPECIALLY DISTURBING IS THAT THOSE WHO ARE DOING THE LEAKING PROBABLY HAVE NEVER STOPPED TO THINK WHAT THE SHORT AND LONG TERM IMPLICATIONS OF THEIR REVELATIONS WILL BE WITH RESPECT TO U.S. INTELLIGENCE EFFORTS, AS WELL AS TO U.S. FOREIGN POLICY. THEY ARE SO PREOCCUPIED WITH SCORING POLITICAL POINTS THAT THEY DO NOT EVEN BEGIN TO REALIZE HOW THEIR ACTIONS MAY BE IMPACTING ON THE LIVES OF U.S. INTELLIGENCE AND FOREIGN SERVICE PERSONNEL OVERSEAS. FURTHERMORE, WITH RESPECT TO THE CONTRAS, I DOUBT IF ANY OF THESE PROFESSIONAL LEAKERS HAVE GIVEN ANY THOUGHT AS TO HOW THEIR DISCLOSURES MIGHT JEOPARDIZE THE THOUSANDS OF PEOPLE IN THE NICARAGUAN RESISTANCE MOVEMENT TO WHICH THE U.S. HAS MADE A COMMITMENT. THE UPSHOT HAS BEEN A SERIOUS DETERIORATION IN THE RELATIONSHIP BETWEEN THE CIA AND CONGRESS WITH A CONSEQUENT LOSS OF TRUST -- THE MOST VITAL INGREDIENT IN THE OVERSIGHT PROCESS.

ALL OF THIS, OF COURSE, MAKES A MOCKERY OF THE OVERSIGHT SYSTEM AND WHAT MUST BE THE MOST OVERT COVERT PROGRAM IN INTELLIGENCE ANNALS. IF WHAT IS AT STAKE HERE WAS NOT SO IMPORTANT, WE COULD PAUSE AND HAVE A GOOD LAUGH AT OURSELVES. UNFORTUNATELY, THAT IS NOT THE CASE.

OUR FRIENDS AND INTELLIGENCE CONTACTS AROUND THE WORLD HAVE TAKEN NOTE OF OUR SORRY PERFORMANCE IN RECENT MONTHS, AS HAVE THE DEDICATED AMERICAN INTELLIGENCE PERSONNEL AND THE THOUSANDS OF MISKITO INDIANS AND OTHER NICARAGUANS DEPENDENT UPON US FOR CONTINUED SUPPORT. WHAT THEY HAVE OBSERVED CANNOT BE REASSURING. INDEED, THEY MUST BE WONDERING WHY THEY EVER CAST THEIR LOT WITH SUCH AN UNRELIABLE AND WHIMSICAL PARTNER.

IN SHORT, WE CANNOT AFFORD TO ALLOW WHAT PRESENTLY MASQUERADES AS CONGRESSIONAL INTELLIGENCE OVERSIGHT TO CONTINUE ANY LONGER. WITH POLITICS INTRUDING SO HEAVILY ON THE PROCESS, THE PROSPECTS OF MORE DEBACLES ARE A DISTINCT POSSIBILITY.

MAJOR SURGERY IS IN ORDER.

IT IS TIME TO GIVE SERIOUS THOUGHT TO MERGING THE EXISTING INTELLIGENCE COMMITTEES INTO A JOINT COMMITTEE COMPOSED EQUALLY OF REPUBLICANS AND DEMOCRATS WHO, IN ADDITION TO THE REQUISITE TRUSTWORTHINESS, COMPETENCE AND RESPONSIBILITY, ALSO POSSESS THE RARE RESTRAINT TO SUBORDINATE POLITICAL CONSIDERATIONS TO THE NATIONAL INTEREST. SUCH A COMMITTEE MUST BE BACKED BY A SMALL CADRE OF APOLITICAL PROFESSIONALS WITH THE SAME EXEMPLARY PERSONAL QUALITIES AS THE COMMITTEE'S MEMBERS.

CREATING A NEW JOINT OVERSIGHT PANEL ALONG THESE LINES WOULD DIMINSH THE POSSIBILITIES FOR PARTISAN POSTURING AND SIGNIFICANTLY REDUCE THE NUMBER OF INDIVIDUALS HAVING ACCESS TO SENSITIVE INFORMATION, THUS MINIMIZING THE RISK OF DAMAGING UNAUTHORIZED DISCLOSURES. AT THE SAME TIME, IT WOULD RETAIN IN A MORE EFFECTIVE AND CONCENTRATED MANNER THE ESSENTIALS OF CONGRESSIONAL OVERSIGHT OVER THE ACTIVITIES OF OUR INTELLIGENCE AGENCIES AND PRECLUDE THE POSSIBILITY OF EXECUTIVE BRANCH INTELLIGENCE COMPONENTS PLAYING ONE COMMITTEE OFF AGAINST THE OTHER.

IT WOULD ALSO ADDRESS SOME OTHER PRACTICAL PROBLEMS THAT HAVE RESULTED FROM TWO COMMITTEES OVERSEEING THE INTELLIGENCE COMMUNITY. AS WE HAVE LEARNED IN RECENT MONTHS, THE TWO COMMITTEES REFLECT DIFFERENT PERSPECTIVES, AND THEY FREQUENTLY DO NOT FOCUS ON THE SAME MATTERS. MOREOVER, THERE APPARENTLY IS HARDLY ANY INTERACTION OR COORDINATION ON THE ISSUES, CONTRARY TO WHAT MOST OF US HAD ASSUMED. FOR EXAMPLE, THE MEDIA CARRIED NOT TOO LONG AGO UNATTRIBUTED CRITICISMS FROM THE HOUSE INTELLIGENCE COMMITTEE THAT THE CIA MAY HAVE OVERSPENT ITS BUDGET IN ITS SUPPOSEDLY COVERT OPERATIONS IN NICARAGUA. THIS VIEW WAS NOT SHARED BY THE SENATE INTELLIGENCE COMMITTEE. CONFUSION REIGNS!

ANOTHER THING TO BEAR IN MIND IN THIS CONNECTION IS THAT CONGRESS HAS INCREASINGLY INSISTED UPON BEING CONSULTED AND BRIEFED BY THE EXECUTIVE BRANCH CONCERNING NATIONAL SECURITY AND FOREIGN POLICY QUESTIONS.

A LARGE PERCENTAGE OF THESE ARE INTELLIGENCE RELATED AND REQUIRE THE INVOLVEMENT OF HIGH LEVEL EXECUTIVE BRANCH OFFICIALS WHO ARE OFTEN HARD PRESSED TO MEET THE DEMANDS OF BOTH THE HOUSE AND SENATE INTELLIGENCE COMMITTEES. THIS IS PARTICULARLY TRUE DURING FAST BREAKING CRISIS SITUATIONS. A CONSOLIDATED OVERSIGHT PANEL WOULD PROVIDE ONE POINT OF CONTACT FOR CONSULTATION AND BRIEFINGS IN THOSE INSTANCES WHERE TIME IS OF THE ESSENCE.

MR. CHAIRMAN, IN SUMMARY, A JOINT INTELLIGENCE COMMITTEE WOULD NOT ONLY ELIMINATE THE PROBLEMS JUST CITED, BUT IT WOULD ALSO ENCOURAGE BIPARTISAN COOPERATION, AND THUS ENSURE A MORE EFFECTIVE CONGRESSIONAL OVERSIGHT ARRANGEMENT. CONSEQUENTLY, I AM DRAFTING LEGISLATION THAT WOULD CREATE SUCH A PANEL, AND I WOULD LIKE TO PROVIDE MEMBERS OF THE COMMITTEE WITH COPIES FOR REVIEW AND CRITIQUE AS SOON AS IT IS COMPLETED.

THANK YOU ONCE AGAIN FOR THE OPPORTUNITY TO APPEAR BEFORE YOU TODAY.

E 3424

CONGRESSIONAL RECORD — *Extensions of Remarks*

August 2, 1984

OUR INTELLIGENCE MESS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1984

• Mr. HYDE. Mr. Speaker, I introduced legislation yesterday, House Joint Resolution 633, to eliminate the House and Senate Intelligence Committee and create a streamlined Joint Committee on Intelligence. I want to share with my colleagues my reasons for this legislation.

I originally proposed this idea in my weekly district column on May 18, 1984 following the furor over the mining of the Nicaragua harbors (see CONGRESSIONAL RECORD June 6, 1984, E2606). This debacle prompted me ask, "Is Congress capable of practicing responsible congressional oversight of intelligence activities, once those activities are viewed as an integral part of a foreign policy that has become controversial and the subject of partisan debate?"

I have shared my reasons in a statement today to the Senate Temporary Select Committee to study the Senate Committee System, and I quote from that statement:

We cannot afford to allow what presently masquerades as Congressional Intelligence oversight to continue any longer. With politics intruding so heavily on the process, it is time to give serious thought to merging the existing intelligence committees into a joint committee composed equally of Republicans and Democrats who, in addition to the requisite trustworthiness, competence and responsibility, also possess the rare restraint to subordinate political considerations to the national interest.

A serious question with dangerous implications presents itself: Is our democratic form of government unable to keep any secrets, no matter how sensitive to our national interests? As we all know, the calculated, politically motivated leaking of highly sensitive information has become a Washington art form, and one that is not confined to Congress alone.

It appears the only way to mount a successful covert operation these days is for such an activity to have the nearly unanimous support of both Intelligence Committees and the involved agencies of the intelligence community. Anything short of that is doomed to failure, as opponents will selectively leak material to their acquaintances in the media with the expressed purpose of torpedoing the operation. Moreover, as recent press disclosures clearly demonstrate, you can count on a flurry of these leaks just before anticipated congressional action on the disputed issue.

What is especially disturbing is that those who are doing the leaking probably have never stopped to think what the short- and long-term implications of their revelations will be with respect to U.S. intelligence efforts, as well as to U.S. foreign policy. They are so preoccupied with scoring political

points that they do not even begin to realize how their action may be impacting on the lives of U.S. intelligence and foreign service personnel overseas or the thousands of people in the Nicaraguan resistance movement to which the United States has made a commitment.

Creating a new joint oversight panel along these lines would diminish the possibilities for partisan posturing and significantly reduce the number of individuals having access to sensitive information, thus minimizing the risk of damaging, unauthorized disclosures. At the same time, it would retain in a more effective and concentrated manner the essential of congressional oversight over the activities of our intelligence agencies and preclude the possibility of executive branch intelligence components playing one committee off against the other.

Practical considerations played into my decision also. The two committees reflect different perspectives, and they frequently do not focus on the same matters and there is hardly any interaction or coordination. Another thing to bear in mind in this connection is that Congress has increasingly insisted upon being consulted and briefed by the executive branch concerning national security and foreign policy questions. A consolidated oversight panel would provide one point of contact for consultation and briefings in those instances where time is of the essence in a fast breaking crisis situation. •

H. J. Res. 633

Section by Section Explanation

Establishment

Section 1. Establishes a Joint Committee on Intelligence.

Membership

Section 2. Stipulates that the Joint Committee shall be composed of 18 members - 9 from the Senate and 9 from the House. Also requires that the President pro tempore of the Senate appoint 5 Senators from the Majority party and 4 from the Minority party. At least one but not more than two members of the Joint Committee must be drawn from each of the Committees on Appropriations, Armed Services, Foreign Relations, and Judiciary. The same membership formula shall apply for House Members with the Speaker of the House doing the appointing from the corresponding House committees.

No member may serve more than six years plus the remainder of the session when such service began. Terms of service of the initial appointees would be staggered in three classes whose terms would expire after two, four, and six years, respectively.

The Majority and Minority Leaders of both Houses shall be non-voting ex-officio members of the Joint Committee. Vacancies will be filled in the same manner as original appointments. When vacancies occur, the remaining members shall discharge the Joint Committee's responsibilities.

From among its members, the Joint Committee shall choose a Chairman and Vice Chairman with the Vice Chairman acting in lieu of the Chairman during the latter's absence.

With each session of Congress, the chairmanship and vice-chairmanship of the Joint Committee shall be rotated between the Senate and House. During odd numbered years, the chairman shall be selected by House members on the Joint Committee, and during even numbered years, by Senators on the Joint Committee. The Vice-Chairman during each session of a Congress shall be chosen in the same manner and from that House of Congress of which the Chairman is not a member.

Duties

Section 3. The Joint Committee shall have exclusive legislative jurisdiction with respect to any intelligence activity conducted by any agency or department of the Federal Government. The same exclusive legislative jurisdiction shall apply with regard to both direct and indirect appropriations for the CIA, DIA, NSA, as well as to the intelligence and intelligence-related activities of the FBI and the Departments of State and Defense. Such legislative jurisdiction of the Joint Committee would also extend to any intelligence entity (and its activities) that should succeed any of those cited above.

The Joint Committee shall also be responsible for reviewing and studying on a continuing basis any intelligence activity conducted by any agency or department of the Federal Government.

The Joint Committee shall exercise the general oversight responsibilities spelled out for committees in clause 2(a) and (b)(1) of rule X of the Rules of the House of Representatives, with exception of the last two sentences of clause 2(b)(1) which pertain to the requirement of establishing an oversight subcommittee for each Committee having more than twenty members.

Powers

Section 4. The Joint Committee, or any subcommittee thereof, is authorized to sit and act whenever it deems it appropriate. The Joint Committee shall also have the authority to require by subpoena the attendance of witnesses and production of books, papers, and documents. Authority is also granted for administering oaths and affirmations, taking testimony, procuring printing and binding, and making expenditures.

The Joint Committee can make whatever rules it considers necessary for its own organization and procedures. No recommendations, however, can be reported from the Joint Committee unless a majority of the Joint Committee agrees. A quorum of 10 members is required to report any measure.

To the extent authorized by a majority of the Joint Committee, subpoenas can be issued over the signature of the Joint Committee's Chairman or of any member designated by the Chairman or by the Joint Committee. Subpoenas may be served by any individual designated by the Chairman or such member.

Oaths or affirmations to witnesses may be administered by the Chairman of the Joint Committee or any member thereof.

The Joint Committee shall prescribe, subject to certain record-keeping requirements, regulations for providing information in its possession to any other committee or member and may permit any other member to attend any closed hearing of the Joint Committee. No member or committee receiving such information shall disclose it except in a closed session of the House or Senate.

A Presidential liaison individual may be allowed to attend Joint Committee closed sessions, provided the Joint Committee so approves.

Information from Federal Agencies and Departments

Section 5. All of the agencies and departments cited previously in Section 3, as well as any other agency or department of the Federal Government conducting any intelligence activity, shall keep the Joint Committee fully and currently informed with respect to any such activity. Periodic reports from any such agency or department shall be provided whenever requested by the Joint Committee.

Classification and Release of Information

Section 6. The classification standards of the Executive Branch of the Federal Government will be utilized to classify the information and records generated by the Joint Committee. Guidelines must be set forth by the Joint Committee under which records and information may be maintained and used by staff, as well as made available to any Members of Congress, with an appropriate security clearance, requesting access to such information or records.

The Joint Committee may publicly disclose classified, Executive Branch information after a 5 day notice to the President unless the President objects in writing. Nevertheless, disclosure may be made over the President's objection if both Houses approve by recorded votes. Specific procedures are provided for a closed session to consider whether such a disclosure should be approved.

Records

Section 7. A complete record of all actions taken by the Joint Committee shall be kept. All material of the Joint Committee shall be the property of the Joint Committee and shall be kept in the office of the Joint Committee or such other places as the Joint Committee may direct.

Unauthorized Disclosure of Information

Section 8.

The Joint Committee is mandated to establish and implement those rules and procedures that it believes are necessary to preclude the disclosure - outside the Joint Committee - of any information acquired by the Joint Committee or any of its members or staff that it has not authorized to be revealed.

Information in this context, means anything that is germane to any intelligence activity conducted by any agency or department of the Federal Government.

Access to classified information by Joint Committee employees, contractors and anyone else performing services for the Joint Committee shall be predicated upon such individuals receiving an appropriate security clearance as determined by the Joint Committee in consultation with the Director of Central Intelligence (DCI) and appropriate intelligence community officials. The Joint Committee, in consultation with the DCI and other appropriate intelligence community officials, shall determine what level of security clearance would be appropriate for any of the aforementioned persons.

Such clearances shall be directly related to the sensitivity of the classified information these individuals would be given access to by the Joint Committee.

Violators of any provision of this section, or any guideline established under Section 6, regarding maintenance of or access to classified material in the possession of the Joint Committee, may be penalized.

For members of the Joint Committee, such penalties could include censure or expulsion from the Joint Committee within 5 legislative days after the Joint Committee reports expulsion, unless such expulsion is vetoed by a majority vote of the appropriate House. The Joint Committee is also granted the authority to recommend to the Senate or the House of Representatives, as the case may be, that such a member be censured or expelled by the Senate or House of Representatives.

As far as staff persons of the Joint Committee are concerned, punitive action may include immediate dismissal. The Joint Committee is also obliged to report to the Attorney General of the United States any apparent violation of any federal criminal statute committed by any staff member with respect to violating any provisions of this section or any guideline established under Section 6.

Staff

Section 9. The Joint Committee is vested with the authority to appoint professional and clerical staff members, prescribe their duties and responsibilities, and fix their pay at rates that do not exceed grade GS-18. All of these actions by the Joint Committee must be taken by a recorded vote of the majority of the members of the Joint Committee. Appointment of staff may be on a permanent basis without regard to political affiliation and solely on the basis of competency to discharge their duties.

By recorded vote of a majority of the members of the Joint Committee, the Joint Committee may also terminate the employment of staff whenever it feels such action is appropriate, require all staff members at the time of their appointment to agree in writing and under oath to the policy of the Joint Committee governing the disclosure of classified information, and, finally, to require such staff to take periodic polygraph examinations.

The Joint Committee may draw upon the resources, services, and personnel of any agency or department of the Federal Government, on a reimbursable basis. Also permitted is acquiring on contract the temporary or periodic services of experts or consultants at pay rates that do not exceed the daily equivalent of the annual rate of a GS-18.

Expenses

Section 10. The expenses of the Joint Committee shall be equally borne by the House and the Senate and be paid from funds appropriated for the Joint Committee. One-half of the expenses shall be paid, upon the Joint Committee's Chairman's approval of appropriate vouchers, from the House's contingent fund and a commensurate amount shall be paid from the Senate's contingent fund.

Definition

Section 11. The term "intelligence activities" in the context of this Joint Resolution includes:

(1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in such foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity which is in support of such activities;

(2) activities taken to counter similar activities directed against the United States;

(3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement, or other association; and

(4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activities pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States, and covert or clandestine activities directed against such persons.

This section also defines "staff" to include any employee of the Joint Committee, and any person engaged by contract or otherwise to perform services for it.

Amendments to Rules of the House of Representatives

Section 12. This section amends a number of House rules pertaining to the jurisdiction and procedural rules of committees, as well as to the establishment and jurisdiction of the current House Permanent Select Committee on Intelligence. Specifically, it amends clause 1(c)(1) of the House Rules which stipulates

that the Armed Services Committee shall exercise jurisdiction over all matters concerning "common defense generally" by adding the provision "except for matters exclusively within the legislative jurisdiction of the Joint Committee on Intelligence." Furthermore, identical language is added to clauses 1(c)(2) and 1(c)(10) of House Rule X which respectively spell out the House Armed Services Committee's jurisdiction over matters relating to "the Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally" [cl. 1(c)(2)], and "strategic and critical materials necessary for the common defense" [cl. 1(c)(10)].

Clause 1(k)(1) of Rule X of the House Rules declares that the Committee on House Administration shall exercise jurisdiction over "appropriations from the contingent fund." This section modifies that jurisdictional authority by adding once again the provision "except for matters exclusively within the legislative jurisdiction of the Joint Committee on Intelligence."

Clause 3(d) of Rule X of the House Rules is amended by this section to remove "intelligence activities relating to foreign policy" from the special oversight functions of the Foreign Affairs Committee.

This section also amends clause 2(g)(2)(B) of Rule XI of the House Rules which provides for Committee procedures for voting to close a hearing. In particular, the current provision allowing the House Committees on Appropriations, Armed Services and Intelligence to vote to close up to five additional consecutive days of hearings is modified to indicate that this exemption would no longer apply to the House Intelligence Committee which would be abolished by this resolution creating a Joint Committee on Intelligence.

Rule XLVIII of the House Rules is also repealed by this section. This rule governs the establishment, jurisdiction, and procedures of the present House Permanent Select Committee on Intelligence.

Finally, this section makes clear that the provisions of this Joint Resolution are enacted as an exercise of the rule-making power of the House and Senate, respectively, and shall be considered as part of the rules of each House as appropriate.

Note: No Senate rules amendments are contained in this Resolution because it was introduced by a House Member who believes it would be presumptuous to address the question of Senate rule changes. Such amendments should be delineated as the Senate sees fit.

Amending National Security Act of 1947

Section 13. Section 501 of the National Security Act of 1947 (50 U.S.C. 413) sets forth the requirements and procedures for Congressional oversight of U.S. intelligence activities. This section makes certain technical changes to Section 501 of the National Security Act in order to reflect the replacement of the existing House and Senate intelligence committees with a new Joint Committee on Intelligence. Thus, every mention of "intelligence committee" within the current statute is deleted in favor of the term "Joint Committee."

 In those instances when the President believes prior notice to Congress of an intelligence activity should be limited, this section limits such notice to the Chairman and Vice-chairman of the Joint Committee, as well as to the Speaker and Minority Leader of the House and the Senatorial equivalents. Under the present arrangement, limited prior notice of this nature is confined to the Chairman and Ranking Minority Member of the House and Senate Intelligence Committees, the Speaker and Minority Leader of the House, and the Majority and Minority Leaders of the Senate.

 Existing law obliges each of the Intelligence Committees to call promptly to the attention of its respective House, or to any appropriate Committee or

Committees thereof, any unauthorized disclosure of classified information and/or information relating to intelligence sources and methods that is provided to the Intelligence Committee or members of either chamber of Congress. This section would require members on the proposed Joint Committee to alert their respective Houses to such infractions.

Section 602(c), which excepts from criminal liability under the Intelligence Identities Protection Act of 1982 (Title VI of the National Security Act of 1947) the direct transmittal of certain information identifying covert personnel to the two existing Intelligence Committees, would be amended to substitute the Joint Committee in lieu of the extant Intelligence Committees.

Lastly, Section 603, which requires annual Presidential reports on measures to protect the identities of covert agents and related matters to be submitted to the two existing Intelligence Committees, would be amended to substitute the Joint Committee as the recipient of these reports.

Effective Date

Section 14. This section provides that the Act shall take effect at the beginning of the first Congress after the date of enactment.